IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.2820 OF 2005
IN
INCOME TAX APPEAL (L) NO.1168 OF 2005

The Commissioner of Income Tax-XXV .. Applicant.
Versus
Rajesh D. Shah .. Respondent.

Mr.A.D. Kango for the applicant.

Mr.J.D. Mistry with Mr.A.K. Jasani for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 3RD SEPTEMBER, 2007.

P.C. :

1. Delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the appeal memo and considering the affidavit in support of the notice of motion, in our opinion, cause shown would amount to sufficient cause. Hence, delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

2. Office to register the appeal.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)